

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION

D. G. Sweigert,

Plaintiff,

v.

JASON GOODMAN, *et al.*,

Defendants.

Case No. 23-cv-11870

U.S. District Court Judge  
Gershwin A. Drain

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**ORDER DISMISSING COMPLAINT WITHOUT PREJUDICE FOR  
FAILING TO CURE DEFICIENCY**

Plaintiff D.G. Sweigert, initiated this action on July 31, 2023. ECF No. 1. However, he failed to pay the filing fee or, alternatively, to apply in the manner required by law to proceed without prepayment of the filing fee. The Court issued a Notice requiring Plaintiff to submit the filing fee or to file a motion for permission to proceed *in forma pauperis*. ECF No. 3. The Court advised Plaintiff that failure to correct the deficiency within 14 days may result in the dismissal of his case. *Id.* at PageID.91.

Plaintiff failed to correct the deficiency in the time provided. Thus, his case will be dismissed. *See Bomer v. Lavigne*, 76 Fed. App'x. 660 (6th Cir. 2003) (affirming dismissal of complaint without prejudice for want of prosecution based on plaintiff's failure to pay filing fee); *Davis v. United States*, 73 F. App'x 804, 805 (6th Cir. 2003) (same).

Accordingly, **IT IS HEREBY ORDERED** that this case is **DISMISSED WITHOUT PREJUDICE**.

**IT IS SO ORDERED.**

/s/ Gershwin Drain  
GERSHWIN A. DRAIN  
UNITED STATES DISTRICT JUDGE

Dated: October 6, 2023

CERTIFICATE OF SERVICE

Copies of this Order were served upon attorneys of record on October 6, 2023, by electronic and/or ordinary mail.

/s/ Teresa McGovern  
Case Manager